

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Ordinance adopting and modifying changes to the Everett City Charter as recommended by the Charter Review Committee, adding new changes, and directing the submittal of these changes to the Snohomish County Auditor for placement on the ballot for November 8, 2016, for consideration by the voters of the City of Everett.

_____ Consent
 _____ Action
 _____ First Reading
 _____ Second Reading
 _____ Third Reading
 _____ Public Hearing

COUNCIL BILL #
 Originating Department
 Contact Person
 Phone Number
 FOR AGENDA OF

CB160627
Administration
Bob Bolerjack
425-257-8727
June 29, 2016

Initialed by:
 Department Head
 CAA
 Council President

db

Location

Preceding Action

Resolution No. 6926

Attachments

Ordinance

Department(s) Approval

Administration, Legal

Amount Budgeted		
Expenditure Required		Account Number(s):
Budget Remaining		
Additional Required		

DETAILED SUMMARY STATEMENT:

On May 26, 2016, the Charter Review Committee submitted to the Mayor and City Council its proposed changes to the Everett City Charter. These changes are included in this Ordinance for consideration by City Council.

These changes and additions include:

- Changes to Section 3.2 regarding City Council meetings, eliminating the requirement that Council meet weekly and making the section consistent with state law and not redundant with state law
- Elimination of outdated language ("hereof", "thereof", "heretofore" and the like) and replacement with modern, equivalent language
- Addition of section regarding appointments to City boards, commissions and committees, stating that appointments should consider factors such as geography, gender, ethnicity and age in an effort to better reflect the City's diversity

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign an Ordinance adopting and modifying changes to the Everett City Charter as recommended by the Charter Review Committee, adding new changes, and directing the submittal of these changes to the Snohomish County Auditor for placement on the ballot for November 8, 2016, for consideration by the voters of the City of Everett.

ORDINANCE NO. _____

AN ORDINANCE of the Everett City Council approving changes to the City Charter to be considered in an election by the residents of Everett and requesting that the Snohomish County Auditor place these Charter ballot measures on the November 8, 2016, General Election.

WHEREAS, the Everett City Charter was adopted at a Special Election held June 25, 1968, and amended in 1978, 1982, 1996, and 2006;

WHEREAS, the Charter Review Committee was formed to examine the Charter and recommended any changes it felt appropriate; and

WHEREAS, the Charter Review Committee met over a period of months and did examine the Charter; and

WHEREAS, the Charter Review Committee's evaluation culminated in recommended changes; and

WHEREAS, the Council has reviewed the recommended changes to the Charter and, with some modifications and additions, wishes to place these proposed changes on the November 8, 2016 ballot for consideration by the residents of Everett;

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1: The Snohomish County Auditor, as ex officio supervisor of all elections held in Snohomish County, is requested to place the proposed Everett City Charter changes specified below on the ballot for the November 8, 2016, General Election. This request is made in accordance with the authority invested in the City as set forth in Section 16.1 of the City Charter which reads (in part) as follows:

Amendments Proposed by the Council.

The council may at any general or special municipal election submit in the form of an ordinance any proposed amendment or amendments to this charter, to be voted upon at such election by the electors...

Section 2: The City Attorney is hereby authorized and directed to take action with respect to the proposed changes to the Everett City Charter so that the propositions which below follow each proposed change are:

- A. Consolidated by subject so as the total number of propositions on the ballot are reduced in number, if possible;
- B. Formulated in compliance with state law applicable to local measures (RCW 29A.36.071); and

The City Attorney shall transmit such reformulated and condensed propositions to the Clerk of the City of Everett. The Clerk is authorized and directed to certify to the Snohomish County Auditor the proposed Everett City Charter changes as specified below and as formulated and condensed by the City Attorney. The City Attorney and City Clerk are also each authorized to take whatever additional actions are necessary for the placement of such changes on the November 8, 2016 ballot.

Section 3: Changes to Section 3.2. Section 3.2 of the Everett City Charter, which reads as follows:

The city council shall meet regularly, at least once each week at the city hall within the corporate limits of the city at such times as may be fixed by ordinance or resolution. At least one of such regular meetings shall be held each month in the evening after 6:30 p.m. Special meetings may be called by the mayor, the president of the council, or any three members of the council by written notice delivered to each member of the council at least twelve hours before the time specified for the proposed meeting. All council meetings shall be open to the public, except that the council may hold executive sessions from which the public is excluded for purposes other than the final adoption of an ordinance, resolution, rule, regulation, or directive. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting, the date of which is not fixed by ordinance, resolution or rule, unless public notice of such meeting has been given by such notice to the local press, radio, and television, as will be reasonably calculated to inform inhabitants of the city of the meeting. Meetings of the council shall be presided over by the president, selected annually by a majority vote of the council, or in the absence of the president, by a member of the council selected by a majority of the members present at such meeting. Appointment of a council member to preside over the meeting shall not in any way abridge his right to vote on matters coming before the council at such meeting. In the absence of the clerk, or deputy clerk or other qualified person appointed by the clerk, the mayor, or the council, may perform the duties of clerk at such meeting. A journal of all proceedings shall be kept, which shall be a public record.

is recommended to be changed to:

The City Council shall meet regularly, ~~at least once each week~~ at the City Hall within the corporate limits of the City at such times as may be fixed by ordinance or resolution. At least one of such regular meetings shall be held each month in the evening after 6:30 p.m. Special and emergency meetings may be called ~~by the mayor, the president of the council, or any three members of the council by written notice delivered to each member of the council at least twelve hours before the time specified for the proposed meeting in accordance with State law.~~ All Council meetings shall be open to the public, except that the Council may hold executive sessions from which the public is excluded in accordance with state law, including the Open Public Meetings Act (Chapter 42.30 RCW). ~~for purposes other than the final adoption of an ordinance, resolution, rule, regulation, or directive. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting, the date of which is not fixed by ordinance, resolution or rule, unless public notice of such meeting has been given by such notice to the local press, radio, and television, as will be reasonably calculated to inform inhabitants of the city of the meeting.~~ Meetings of the Council shall be presided over by the President, selected annually by a majority vote of the Council, or in the absence of the President, by a member of the Council selected by a majority of the members present at such meeting. Appointment of a Council Member to preside over the meeting shall not in any way abridge his or her right to vote on matters coming before the Council at such meeting. In the absence of the Clerk, or Deputy Clerk or other qualified person appointed by the Clerk, the Mayor, or the Council, may perform the duties of Clerk at such meeting. A record journal of all proceedings shall be kept, ~~which shall be a public record.~~

PROPOSITION # 1

Shall Everett City Charter Section 3.2 be changed to eliminate the weekly council meeting requirement and to eliminate inconsistency and redundancy with State Law?

CHARTER CHANGE	YES..... <input type="checkbox"/>
CHARTER CHANGE	NO..... <input type="checkbox"/>

Section 4: Change to Section 15.9. Section 15.9 of the Everett City Charter which reads as follows:

The City Clerk and the codifiers of this Charter are authorized to make necessary corrections to this Charter including, but not limited to, deletion of the use of terms which are masculine or feminine so that such references shall apply to the opposite gender also, unless the context of such charter provision shall require otherwise, the correction of scrivener, clerical and typographical errors, references, Charter numbering, Section/subsection numbers and any references thereto.

is recommended to be changed to:

The City Clerk and the codifiers of this Charter are authorized to make necessary corrections to this Charter including, but not limited to, deletion of the use of terms which are masculine or feminine so that such references shall apply to the opposite gender also, unless the context of such charter provision shall require otherwise, the correction of scrivener, clerical and typographical errors, references, Charter numbering, Section/subsection numbers and any references thereto. The City Clerk and the codifiers of this Charter are also authorized to make corrections to this Charter to eliminate out-of-date language such as "hereof," "heretofore," "thereof" and similar terms, and replace them with equivalent, modern language.

PROPOSITION # 2

Shall Everett City Charter Section 15.9 be changed to allow the City Clerk to make corrections in the Charter to eliminate archaic terminology such as "hereof," "heretofore," "thereof," and replace such terms with equivalent, modern language?

CHARTER CHANGE	YES..... <input type="checkbox"/>
CHARTER CHANGE	NO..... <input type="checkbox"/>

Section 5: New Section 15.10. Add a new section 15.10 as follows:

Appointments to City boards, commissions and committees should consider factors such as geography, gender, ethnicity and age in an effort to better reflect the City's diversity.

PROPOSITION # 3

Shall the Everett City Charter be changed to add a new Section 15.10 that states that appointments to City boards, commissions and committees should strive to reflect the makeup of the community in demographic terms such as ethnic diversity, gender, age and geography?

CHARTER CHANGE	YES..... <input type="checkbox"/>
CHARTER CHANGE	NO..... <input type="checkbox"/>

Section 6: Under Section 16.1 of the Charter, amendments to the Charter proposed under this ordinance that are ratified by a majority of the electors become part of the Charter on the date of the Mayor's proclamation of those ratified amendments. The Mayor's proclamation is deemed to occur on the date of the County certification of the election.

RAY STEPHANSON, MAYOR

ATTEST:

SHARON FULLER, CITY CLERK

Passed: _____

Valid: _____

Effective: _____

Published: _____